



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
2170 SW CANAL STREET
STUART, FL 34997

28 MAY 2008

Regulatory Division
Palm Beach Gardens Regulatory Office
SAJ-2006-3741(IP-AAZ)

Florida Department of Transportation
Attn: Mr. John Palenchar
1000 NW 111th Avenue, Room 6101
Miami, Florida 33172

Dear Mr. Palenchar:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

Joe White

Stephen R. Sullivan
Chief, Regulatory Division

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation
Attn: Mr. John Palenchar
1000 NW 111th Avenue, Room 6101
Miami, FL 33172

Permit No: SAJ-2006-3741 (IP-AAZ)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The project would construct a new 150-foot two leaf span bridge over the Miami River at NW 5th Street. The proposed bridge would accommodate five 11-foot travel lanes, raised median and widened sidewalks, and two new bascule piers. The work also includes construction of a new control house on the east side, construction of a new bulkhead wall and new fender system, placement of a new submarine cable for the bridge, reconstruction of the roadway sections and bridge approach, drainage improvements, milling and resurfacing, and new traffic signals. The proposed work will result in 0.290 acre of shading over the Miami River. The in-water improvements would result in filling of 0.078 acre with approximately 1,127 cubic yards of material. Approximately 0.058 acre of dredging would be required for installing the new bulkhead, and 0.098 acre of temporary dredging will be required for the installation of the submarine cable. The work described above is to be completed in accordance with the drawings affixed at the end of this permit instrument.

Project Location: The proposed project is located in navigable waters of the United States on NW 5th Street over the Miami River, Section 37, Township 54 South, Range 41 East, Miami-Dade County, Florida.

LATITUDE 25°46'42" LONGITUDE -80°12'24"

Directions to site: From I-95 South in Miami Dade County, exit 3B to NW 8th Street, turn right at NW 8th Street, then left at NW 7th Avenue. Continue to the bridge over the Miami River at NW 5th Street.

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PERMITTEE: Florida Department of Transportation, District 6

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Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on 28 May 2013. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

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Special Conditions:

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-1996-3984(IP-AAZ), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

3. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

4. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 2) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

(a) A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

(b) List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work,

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PERMITTEE: Florida Department of Transportation, District 6

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describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

(c) The Department of the Army Permit number.

(d) Include pre- and post-construction aerial photographs of the project site, if available.

5. Fill Material:

(a) The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

(b) The dredged spoil material and associated effluent shall be pumped to a self-contained temporary, bermed upland disposal site.

6. Endangered Species: The permittee agrees to abide by the enclosed Sea Turtle and Smalltooth Sawfish Construction Guidelines dated March 23, 2006, and the Standard Manatee Construction Conditions dated June 2005.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972(33 U.S.C. 1413).

2. Limits of this authorization.

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a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

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a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.


(PERMITTEE)

Mr. John Palenchar
Florida Department of Transportation, District 6


(DATE)

PERMIT NUMBER: SAJ-2006-3741 (IP-AAZ)

PERMITTEE: Florida Department of Transportation, District 6

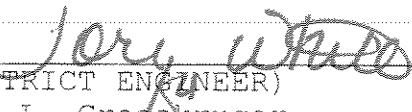
PAGE 7 of 9



(PERMITTEE NAME-PRINTED)

AILEEN BOUCLE, A.I.C.P.

This permit becomes effective when the Federal official,
designated to act for the Secretary of the Army, has signed
below.



(DISTRICT ENGINEER)

Paul L. Grosskruger
Colonel, U.S. Army



(DATE)

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

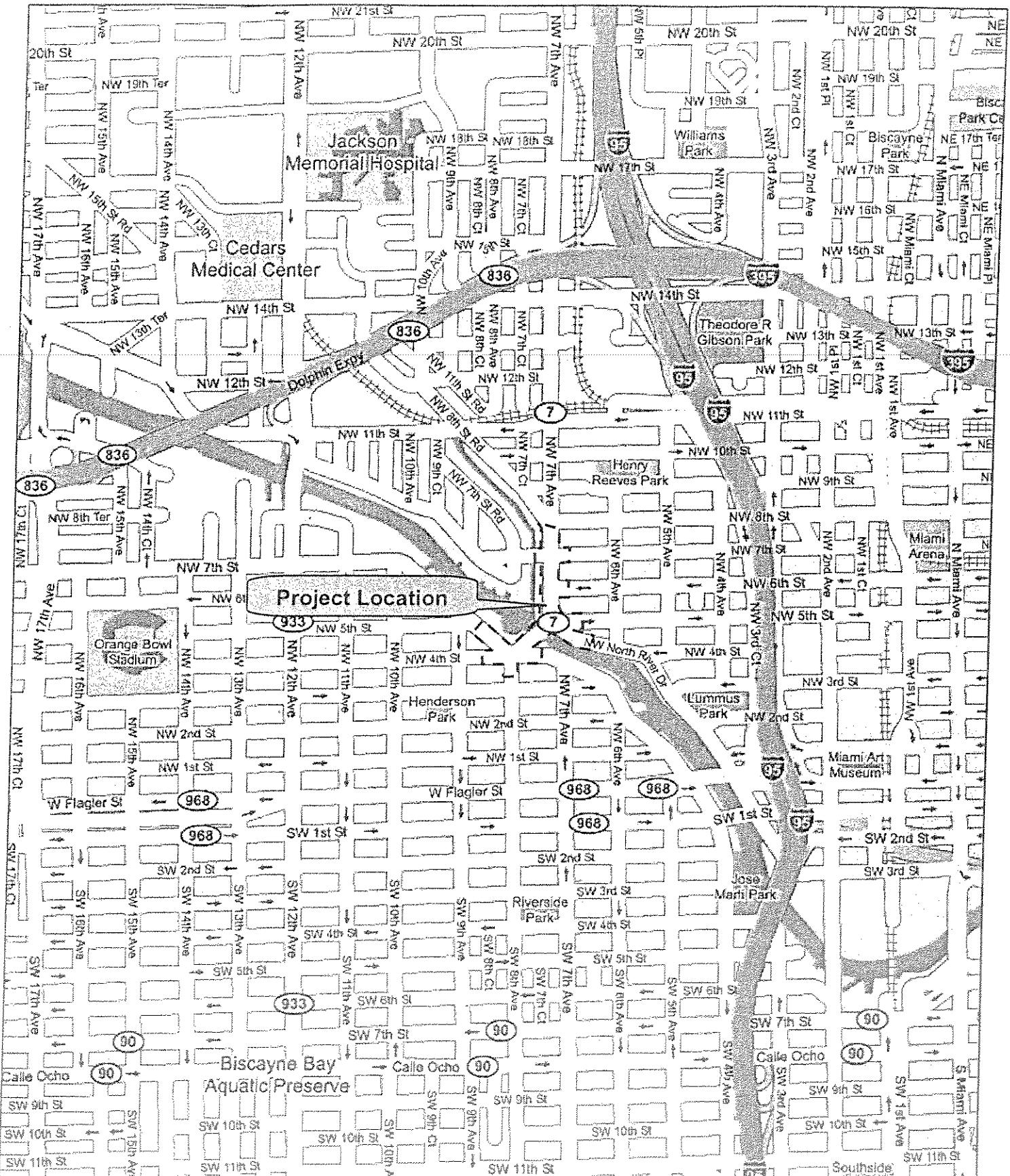
PERMIT NUMBER: SAJ-2006-3741 (IP-AAZ)

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*Attachments to Department of the Army
Permit Number SAJ-2006-3741 (IP-AAZ)*

1. PERMIT DRAWINGS: Eleven (11) pages
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit.
3. SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION GUIDELINES: One (1) page dated March 23, 2006



**SR-7 / NW 5th St Bridge
Replacement Project**

**Figure 1
Location Map**



Location: Miami-Dade County, Florida
 FM No.: 412808-1-21-01
 Scale: N.T.S.
 Source: NAVTEQ (2004)

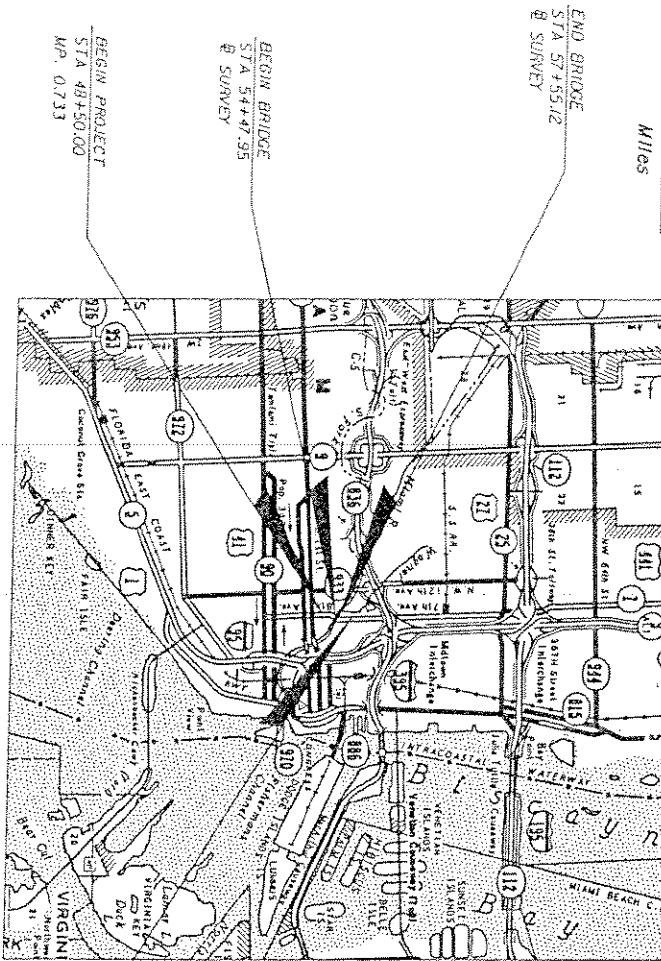
FINANCIAL PROJECT ID 412803-1-52-01

MIAMI-DADE COUNTY

SR-7/NW 5TH STREET BRIDGE REPLACEMENT OVER THE MIAMI RIVER

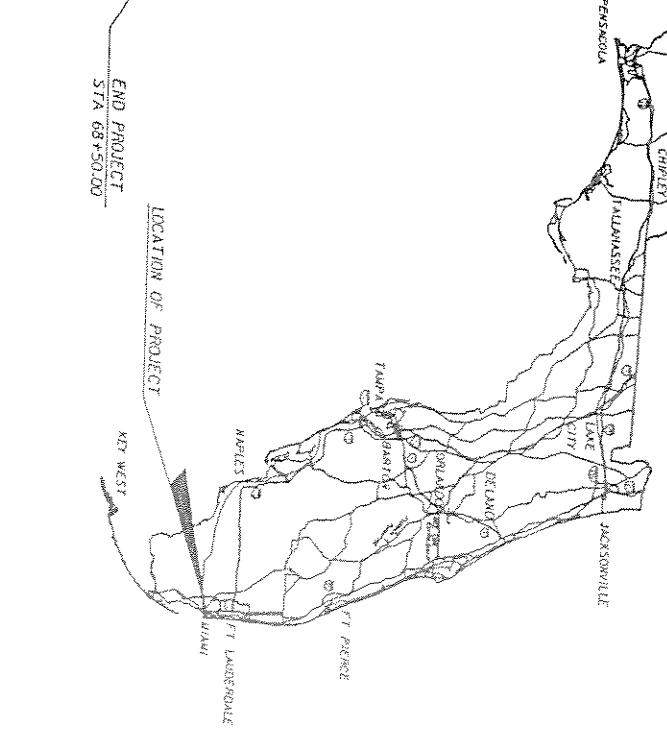


END BRIDGE
STA 57+55.12
& SURVEY



BEGIN BRIDGE
STA 54+47.95
& SURVEY

BEGIN PROJECT
STA 4B+0.00
MP. 0.733

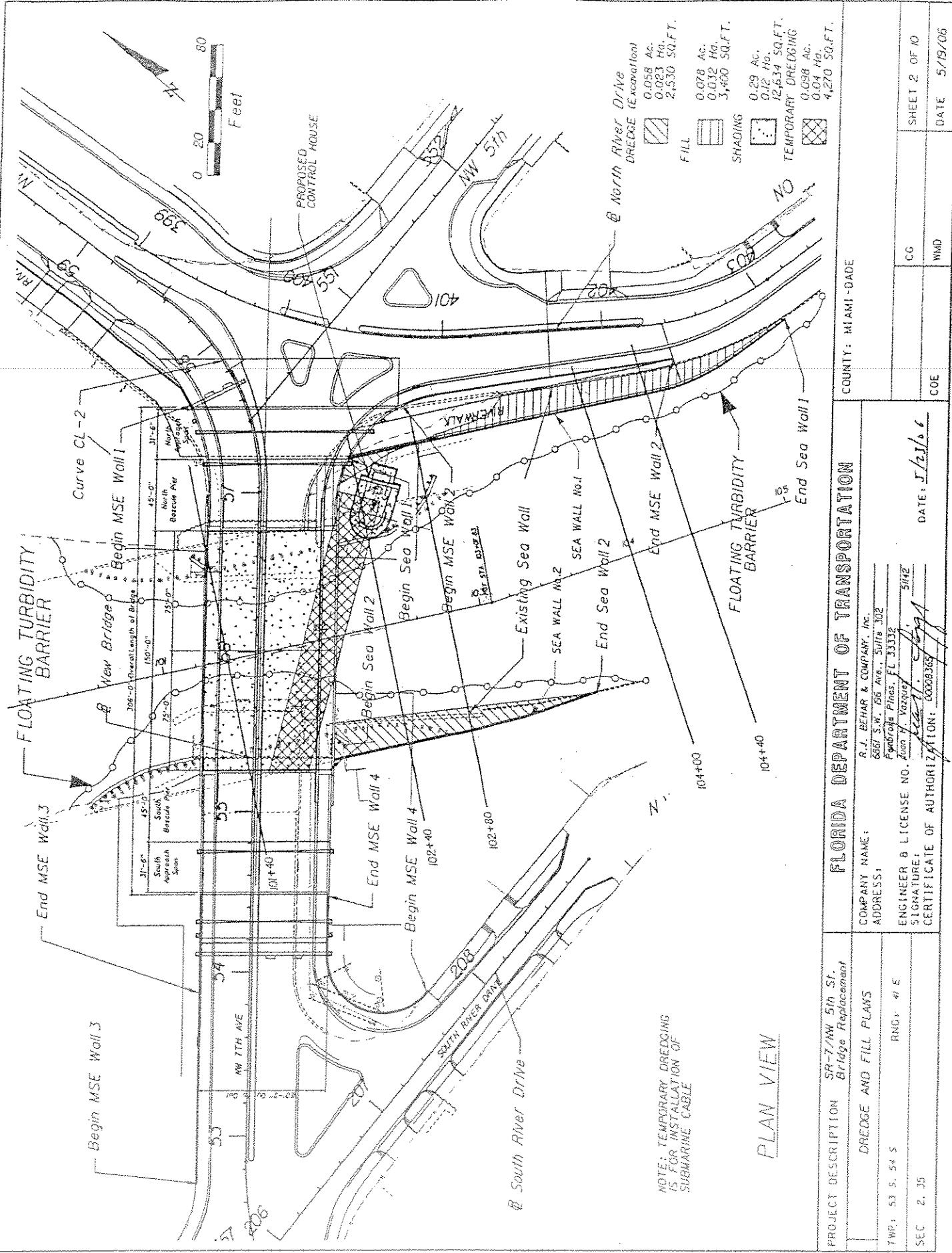


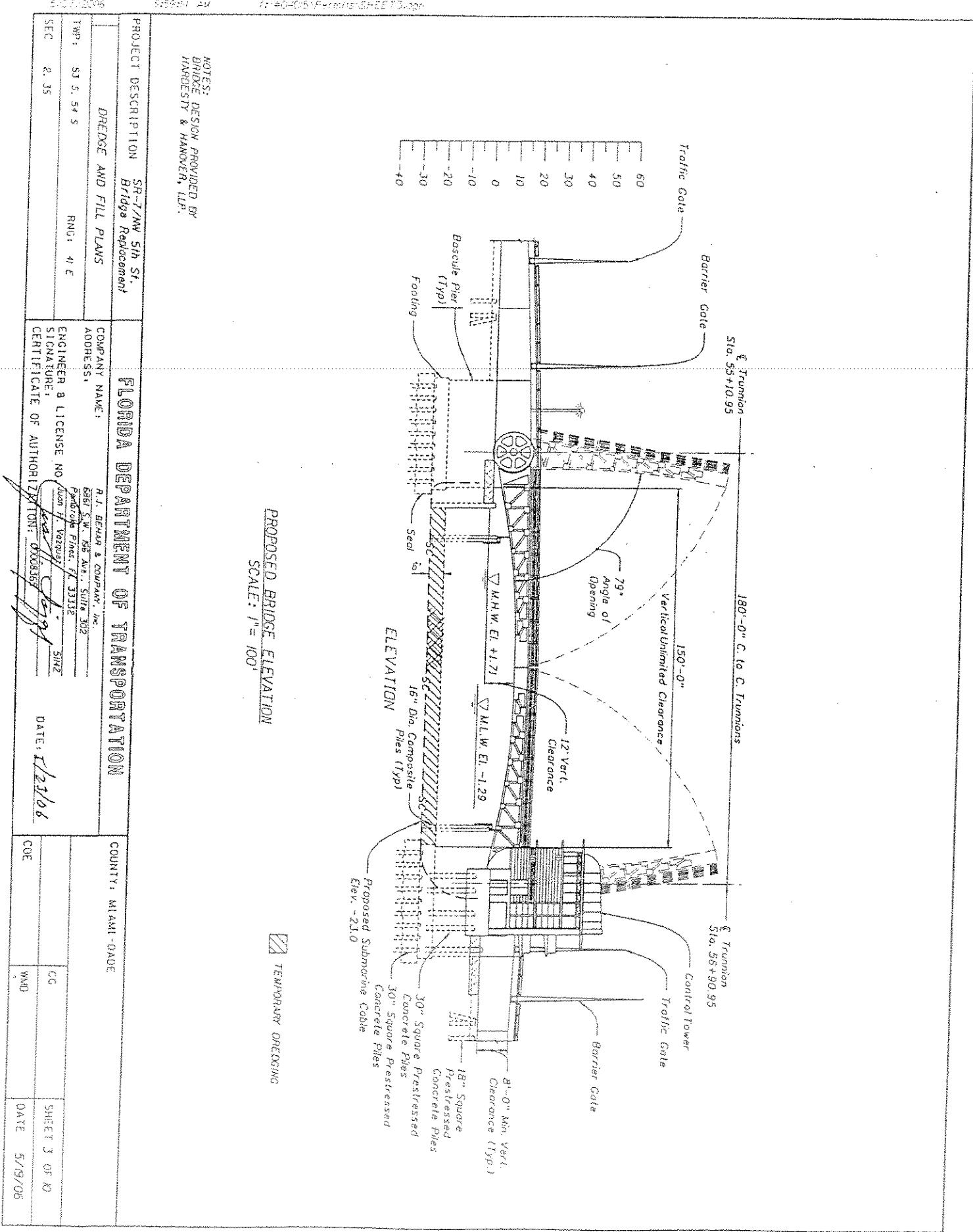
LOCATION OF PROJECT

END PROJECT
STA 68+50.00

LOCATION MAP

PROJECT DESCRIPTION	SR-7/NW 5th St. Bridge Replacement	FLORIDA DEPARTMENT OF TRANSPORTATION	COUNTY: MIAMI-DADE
LOCATION MAP			
TYPE:	S.S. 54S	COMPANY NAME: R.J. BEHNKE & COMPANY, INC.	ADDRESS: 2675 S.W. 116th Ave., Suite 302 Pompano Beach, FL 33069
SEC:	2, 35	ENGINEER & LICENSE NO: John H. Vazquez SIGNATURE: <i>John H. Vazquez</i> CERTIFICATE OF AUTHORIZATION: <i>0000857942</i>	DATE: 5/21/06 COE: CG WMO: SHEET 1 OF 10 DATE: 5/19/06

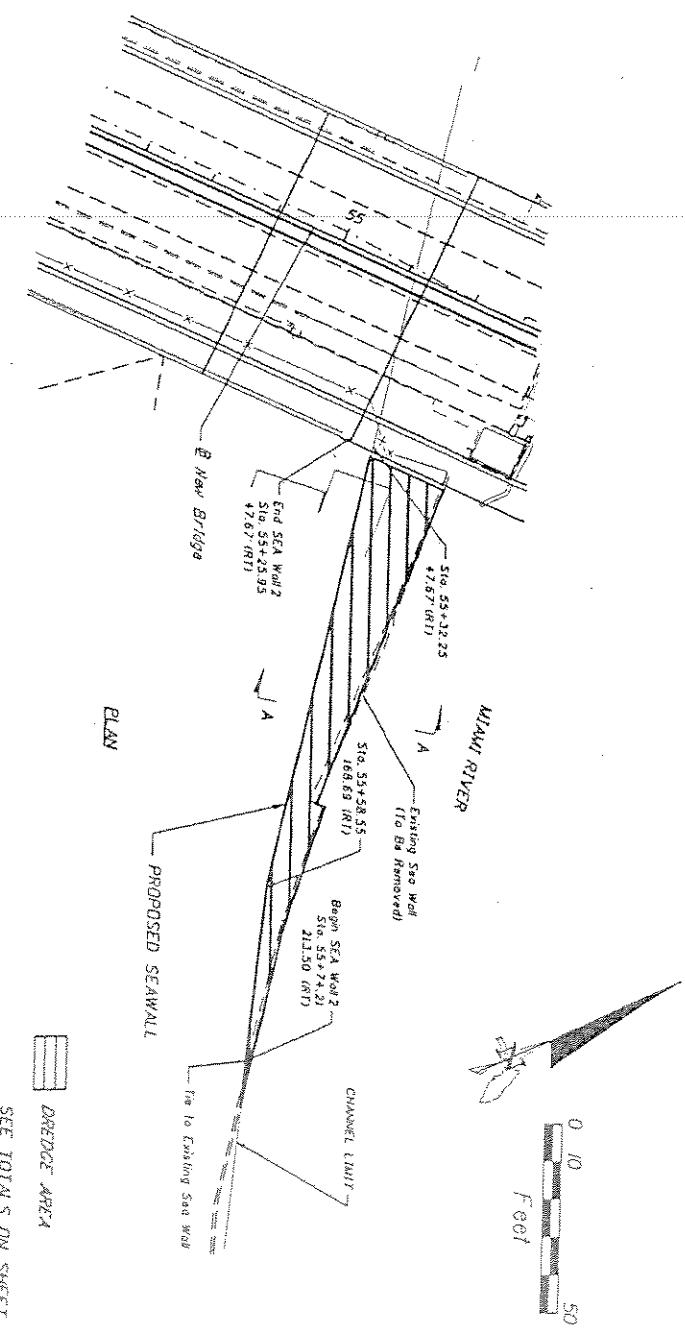




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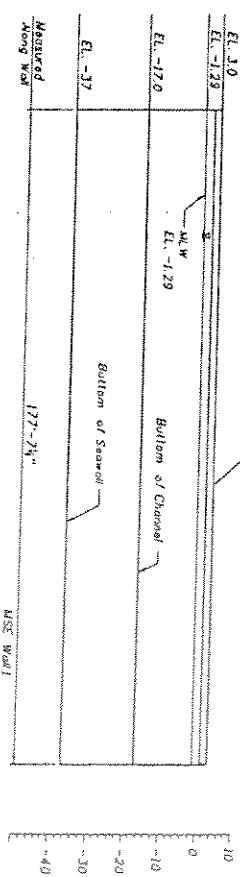
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Top of Embankment
Bottom of Channel
Bottom of Seawall
Base of Wall

DREDGE AREA

SEE TOTALS ON SHEET 2/10



ELEVATION

SEA WALL No.2

PROJECT DESCRIPTION SR-77/HW 5th St.
Bridge Replacement

DREDGE AND FILL PLANS

FLORIDA DEPARTMENT OF TRANSPORTATION

COUNTY: MIAMI-DADE

R.J. BEHNKE & COMPANY, Inc.

ADDRESS: 8861 S.W. 96th Ave., Suite 302

Brentwood Park, FL 33132

ENGINEER & LICENSE NO. JUAN H. VARGAS

SIGNATURE: *Juan H. Vargas*

DATE: 5/23/06

COE

WAD

DATE: 5/23/06

5/23/2006

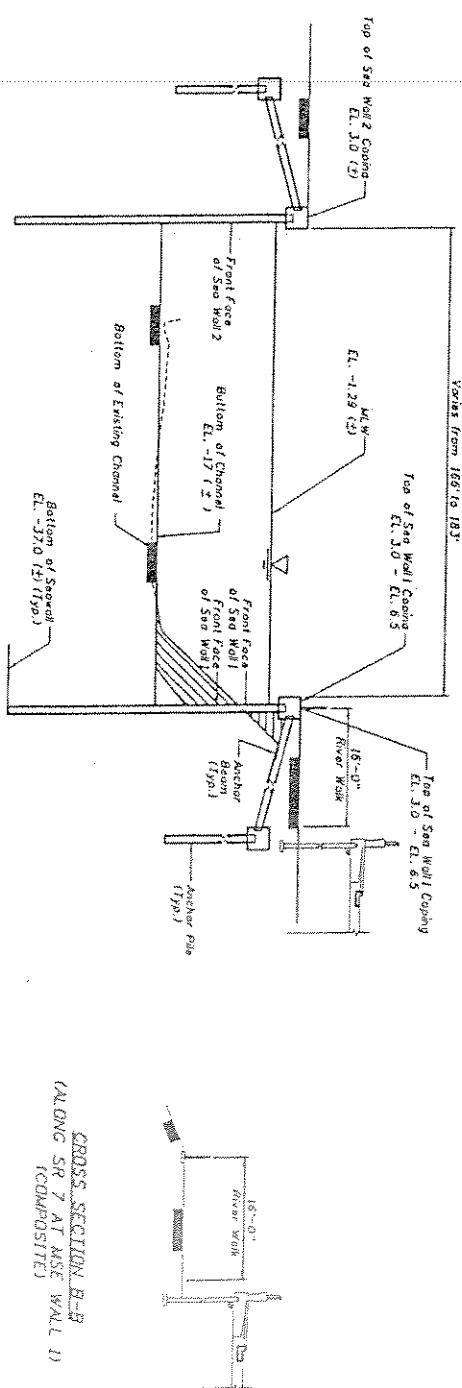
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PROJECT DESCRIPTION	SR-77/HW 5th St. Bridge Replacement	
DREDGE AND FILL PLANS		
TWP. 53 S. 54 S	RNG. 41 E	COMPANY NAME: R.J. BEHNKE & COMPANY, Inc.
SEC. 2, 35		ADDRESS: 8861 S.W. 96th Ave., Suite 302 Brentwood Park, FL 33132
		ENGINEER & LICENSE NO. JUAN H. VARGAS SIGNATURE: <i>Juan H. Vargas</i>
		CERTIFICATE OF AUTHORIZATION: <i>Juan H. Vargas</i>
		DATE: 5/23/06
		COE
		WAD
		DATE: 5/23/06

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1. See Wall designs provided by ENR Consulting, Inc.



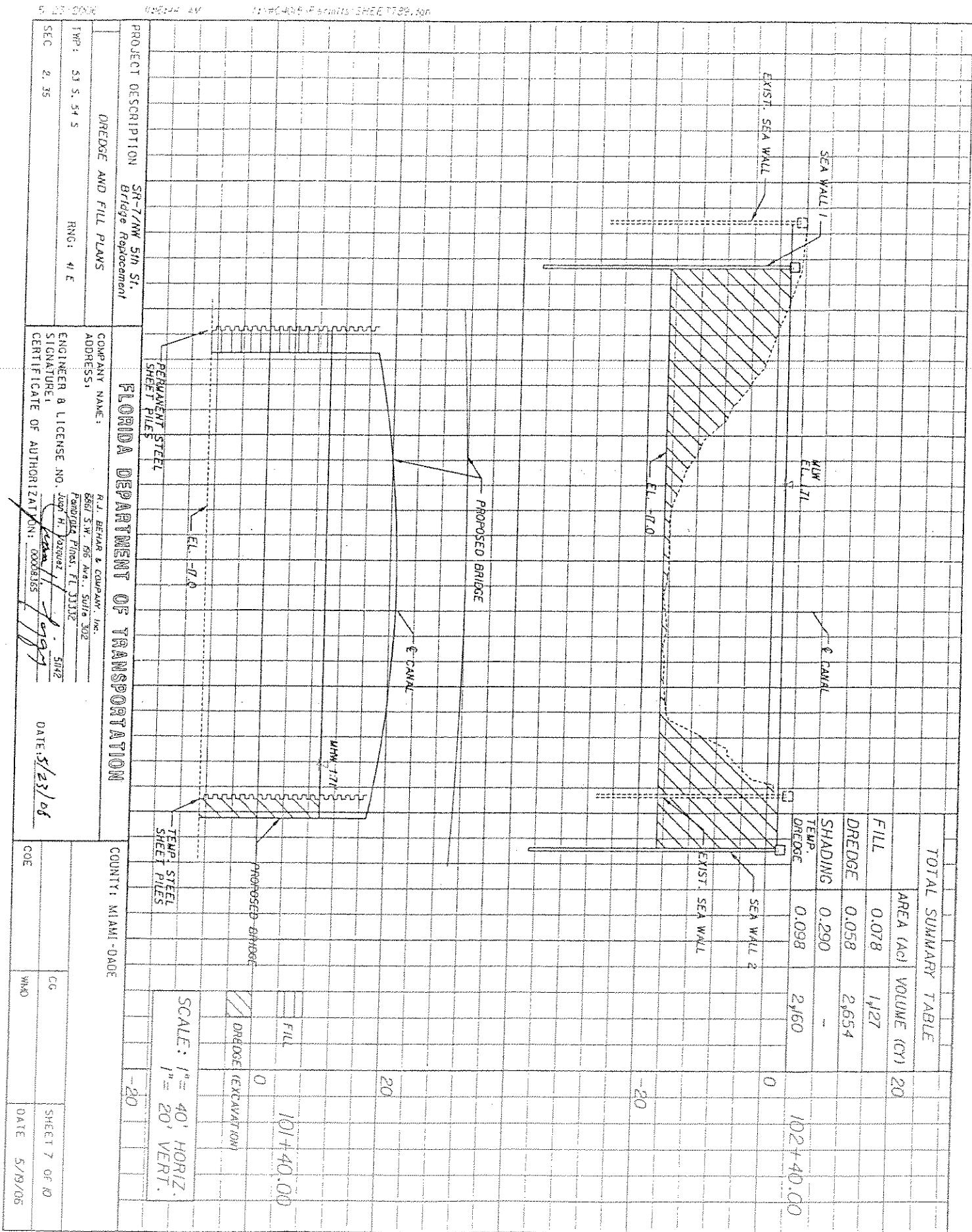
LITTLE CROSS SECTION A-A
(ALONG NORTH RIVER DRIVE AT SEA WALL 1, 2 & MSE WALL 2)
(COMPOSITE)

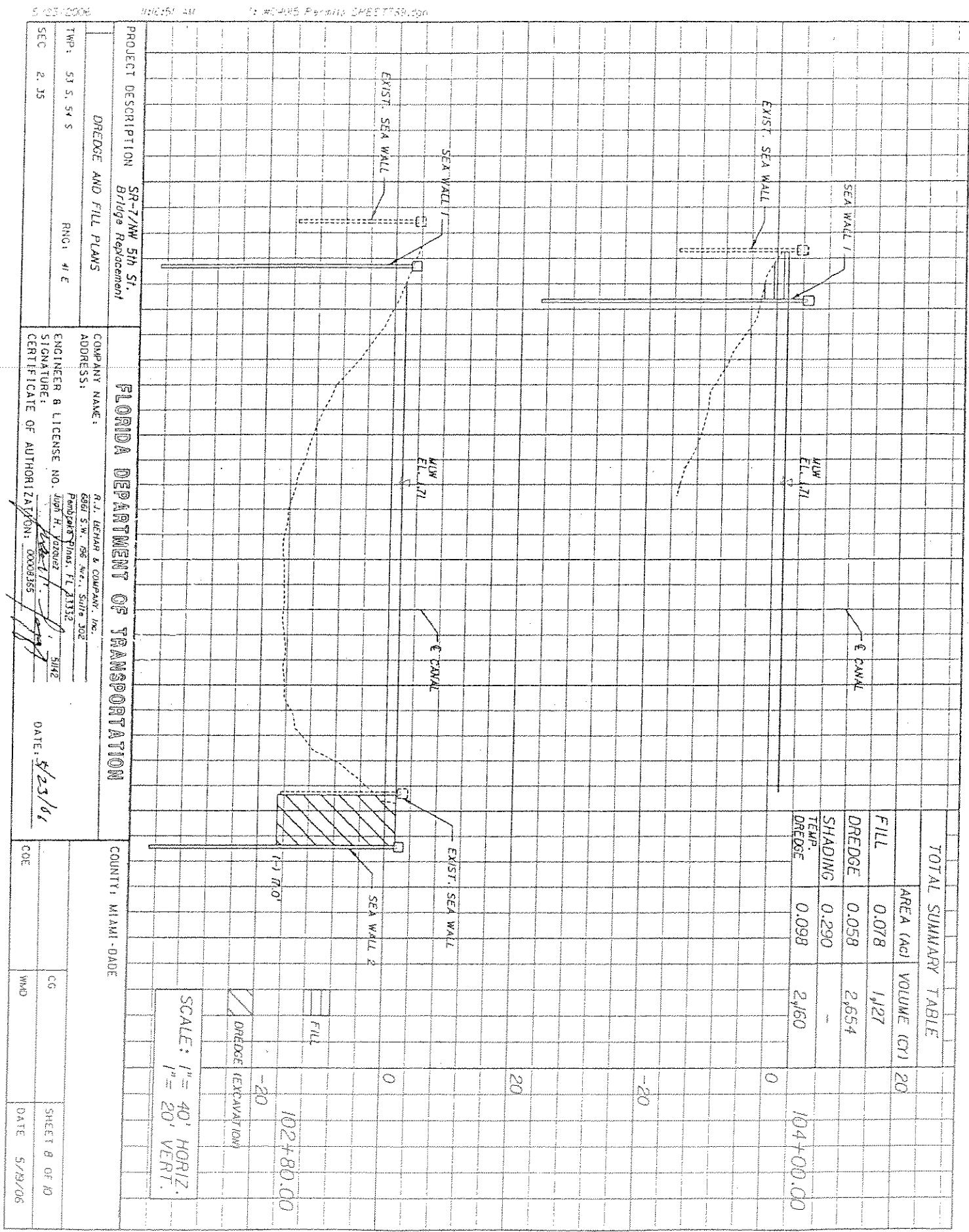
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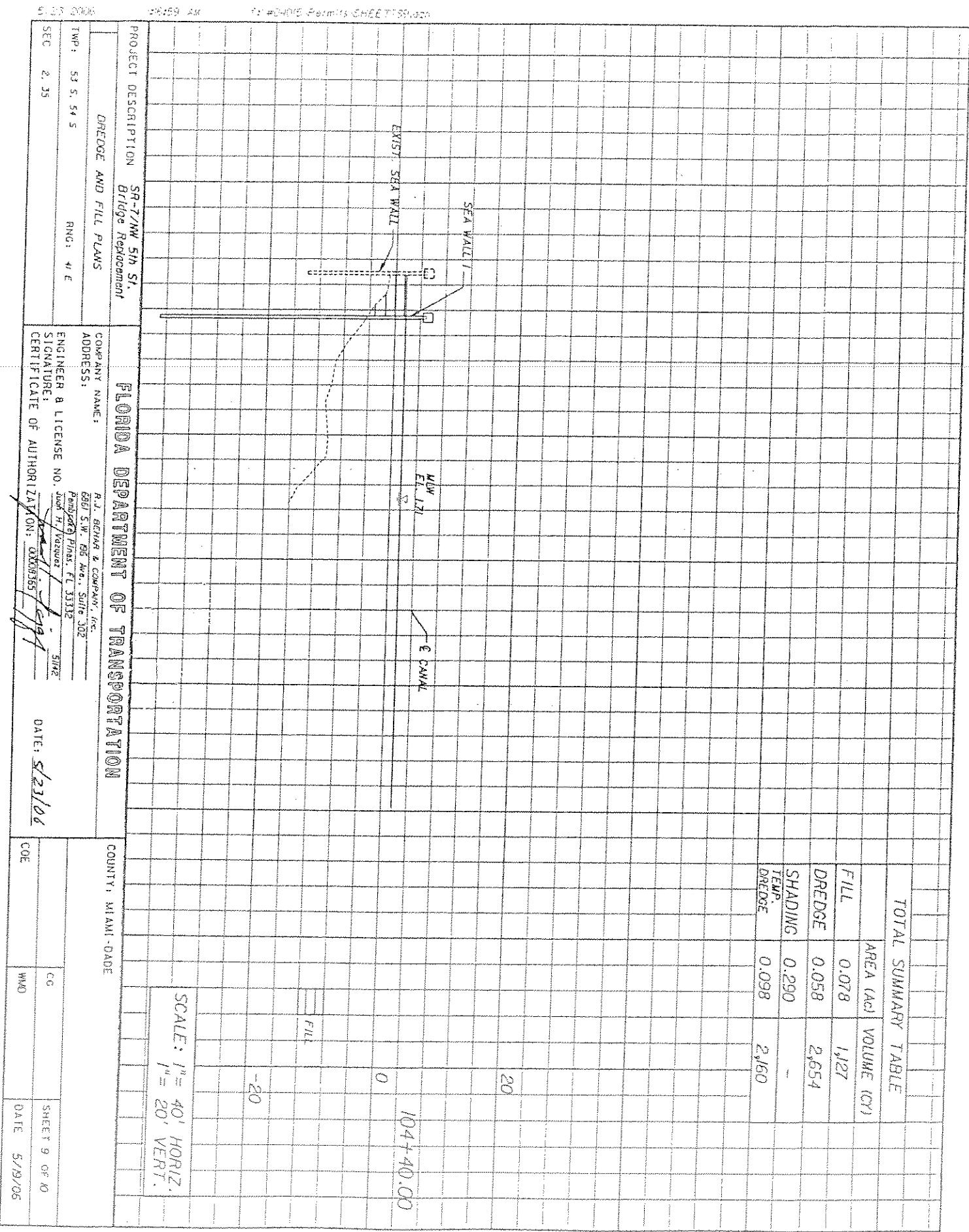


FILE AREA (TYPE.)

PROJECT DESCRIPTION		SR-7/NW 5th St. Bridge Replacement		FLORIDA DEPARTMENT OF TRANSPORTATION		COUNTY MIAMI-DADE	
DREDGE AND FILL PLANS		COMPANY NAME, ADDRESS, PHONE NO.		R.J. BREHAR & COMPANY, Inc. 601 S.W. 8th Ave., Suite 302 Pembroke Pines, FL 33332			
TWP 1	S 3 S, S 4 S	RNG 1	W E	ENGINEER & LICENSE NO.	Jean H. Mazzoni	DATE, 5/27/06	CC
SEC	2, 35			SIGNATURE,	<i>Jean H. Mazzoni</i>		SHEET 6 OF 10
				CERTIFICATE OF AUTHORIZATION NO.	00000000000000000000	COE NO.	DATE 5/9/06







5/23/2006

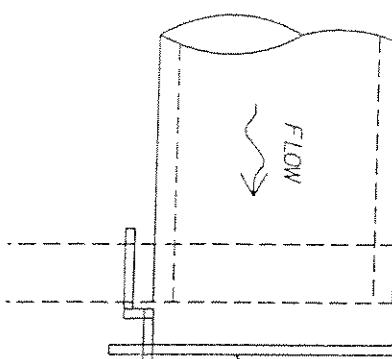
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EXIST OUTFALL
FOR SIZE
SEE TABLE

MHW EL. 1.71'

EXISTING SEAWALL



NEW MANATEE GRATE
PER FOOT INDEX 280

MHW EL. 1.71'

1 2 x 2 x $\frac{1}{2}$
2'-4" For 18" Pipe
3'-0" For 24" & 30" Pipe
3'-8" For 36" Pipe
4'-4" For 42" Pipe

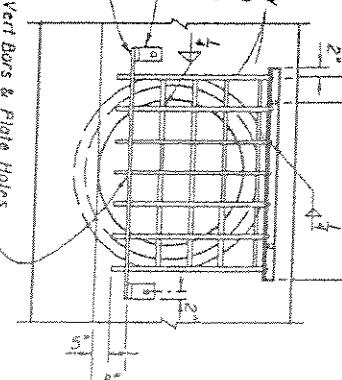
Bars & Ctrs. Each Way
1" Bars, Pipes < 30"
2" Bars, Pipes ≥ 30"

Steel Plates:
J-6" For 18" Pipe
4'-0" For 24" Pipe
4'-6" For 30" Pipe
5'-0" For 36" Pipe
5'-6" For 42" Pipe

Clip Angle
See detail

Vert Bars & Plate Holes
Symmetric About Pipe:

4 For 18" Pipe
5 For 24" & 30" Pipe
6 For 36" Pipe
7 For 42" Pipe



MANATEE GRATE TYPICAL

N.T.S.

OUTFALL	SIZE	CANAL	LOCATION
1	72"	SEYBOLD CANAL	NW 7th (WEST SIDE)
2	60"x48"	SEYBOLD CANAL	NW 7th (WEST SIDE)
3	12"	TO BE ABANDONED	SR 7 STA 59+80
4	18"	MIAMI RIVER	NORTH RIVER DR
5	18"	MIAMI RIVER	NORTH RIVER DR
6	24"	MIAMI RIVER	SOUTH RIVER DR

PROJECT DESCRIPTION		FLORIDA DEPARTMENT OF TRANSPORTATION		COUNTY: MIAMI-DADE	
<u>DREDGE AND FILL PLANS</u>					
COMPANY NAME, ADDRESS,	R.J. BEHAR & COMPANY, Inc. 6551 S.W. 155 Ave., Suite 302 Homestead, FL 33132				
TWP: 51 S. 54 S	RNG: 41 E				
SEC: 2, 35					
<u>SIGNATURE:</u> <u>CERTIFICATE OF AUTHORIZATION:</u>	<u>Juan H. Alvarez</u> <u>Hector J. Perez</u>	<u>DATE:</u> 5/23/06	<u>COE</u>	<u>PHAD</u>	<u>DATE</u> 5/22/06



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc





District Environmental Management Office

1000 NW 111th Avenue
Rm. 6103
Miami, FL 33172
Fax: (305) 470-5205
Office: (305) 470-5200

LETTER OF TRANSMITTAL

CHARLIE CHRIST
GOVERNOR

STEPHANIE C. KOPELOUOSAS
SECRETARY

TO:	Alisa Zarbo	DATE: May 21, 2008
Jacksonville District Corps of Engineers	CONTRACT NO:	
2170 SW Canal Street	PROJECT: 5th Street Bridge Replacement	
Stuart, FL 34997	FDOT FM No. 412808-1-52-01	
TEL:	RE: Execution of Permit No. SAJ-2006-3741 (IP-AAZ)	

ATTACHED ARE UNDER SEPARATE COVER (VIA: _____)

THE FOLLOWING ITEMS:

REPORTS PLANS SAMPLES CONCEPT PLANS AERIALS
 COPY OF LETTER PRINTS OTHER EXECUTED PERMITS

COPIES	DATED	DESCRIPTION
2	May 20, 2008	FDOT-executed Permit No. SAJ-2006-3741 (IP-AAZ)

THE ABOVE LISTED ARE TRANSMITTED AS CHECKED BELOW:

FOR APPROVAL CONFORMS AS SUBMITTED RESUBMIT COPIES FOR REVIEW
 FOR YOUR USE CONFORMS WITH NOTATIONS SUBMIT COPIES FOR DISTRIB.
 AS REQUESTED RETURNED FOR CORRECTIONS RETURN CORRECTED PRINTS
 FOR REVIEW & COMMENT OTHER INSTRU. PRINTS RETURNED AFTER LOAN TO US

REMARKS: Should you have any questions, please contact John Palenchar at (305) 470-5223.

CC: FILE

John Palenchar

SIGNED



John Palenchar
District Environmental Permits Coordinator